

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR22-0143-LK

Plaintiff,

ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL
DATE

LUKE ST. MARIE,

Defendant.

This matter comes before the Court on Defendant Luke St. Marie's Unopposed Motion to Continue Trial Date and Pretrial Motions Deadline, Dkt. No. 15, as well as his Speedy Trial Waiver, Dkt. No. 15-2. On September 7, 2022, a federal grand jury indicted Mr. St. Marie on four counts of Distribution of a Controlled Substance. Dkt. No. 1 at 1-2; *see* 21 U.S.C. § 841(a)(1). Mr. St. Marie pleaded not guilty to all counts and is currently scheduled to be tried before a jury on November 21, 2022. Dkt. No. 6.

Defense counsel seeks to continue trial to June 12, 2023 because “[t]he charges in this matter are very serious” and he needs “a significant amount of time to adequately complete the discovery review, investigate the case, prepare motions and prepare for trial.” Dkt. No. 15 at 2.

1 Mr. St. Marie avers that he understands his rights under the Speedy Trial Act and states that “[a]fter
2 consulting with my attorney,” he “agree[s] to waive [his] right to a speedy trial through June 30,
3 2023 and assent to the Court scheduling trial on any date prior to that date.” Dkt. No. 15-2 at 1.

4 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by
5 granting a continuance outweigh the best interest of the public and Mr. St. Marie in any speedier
6 trial. Specifically, the Court finds that failure to grant the requested continuance would likely result
7 in a miscarriage of justice and would deny defense counsel the reasonable time necessary for
8 effective preparation, taking into account the exercise of due diligence, due to counsel’s need for
9 more time to investigate the matter, to gather evidence material to the defense, to consider possible
10 defenses, and to prepare for trial. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv). The Court also finds that
11 the additional time requested is a reasonable period of delay and will be necessary to provide
12 counsel and Mr. St. Marie reasonable time to accomplish these tasks.

13 For these reasons, the Court GRANTS Mr. St. Marie’s Unopposed Motion to Continue
14 Trial Date and Pretrial Motions Deadline, Dkt. No. 15, and ORDERS that trial shall be continued
15 from November 21, 2022 to June 12, 2023. It is further ORDERED that, pursuant to 18 U.S.C.
16 § 3161(h)(7)(A) and (B), the period of delay from the original November 21, 2022 trial date to the
17 new trial date is EXCLUDED when computing the time within which Mr. St. Marie’s trial must
18 commence under the Speedy Trial Act. Pretrial motions are due no later than May 1, 2023.

19 Dated this 6th day of October, 2022.

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22 Lauren King
23 United States District Judge
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